HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.3376 of 2007

Dated:23.02.2007

Between:

Z.Mohd.Fazulur Rahman.

…Petitioner.

and

The Government of Andhra Pradesh and others.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.3376 of 2007

ORDER:

The petitioner challenges the appointment of the 3rd respondent, as Khaji of Anantapur Town.

The petitioner was appointed as Khaji, through orders in G.O.Ms.No.2 Minorities Welfare (Wakf-I) Department, dated 17.01.2004. However, on receiving certain complaints, the 1st respondent initiated action, and ultimately, through orders in G.O.Ms.No.24, dated 14.06.2005, had cancelled the appointment of the petitioner. In the meanwhile, the 1st respondent appointed the 3rd respondent as Khaji, through orders in G.O.Ms.No.9, dated 04.03.2005. On finding that the appointment of the petitioner was yet to be set aside, the Government kept the appointment of the 3rd respondent in abeyance. After the appointment of the petitioner was cancelled, the 1st respondent issued G.O.Ms.No.36, dated 10.10.2005, recalling the order of abeyance and paving the way for the 3rd respondent to function.

Sri P.Veera Reddy, learned counsel for the petitioner, submits

that there is serious dispute as to the qualification of the 3rd respondent, inasmuch as he was said to be a minor and without even verifying into such a serious allegation, the Government had appointed him as Khaji.

The petitioner, who was initially appointed as Khaji, for the same place, was removed from it. Therefore, he does not have any *locus standi* to challenge the appointment of the 3rd respondent. Further, the petitioner did not raise any objection for the appointment of the

3rd respondent, at any stage before the appointing authority. The so-called allegation, as to the age of the 3rd respondent, was made by some unknown persons, other than the petitioner. Even that was verified and the Government was convinced that the 3rd respondent is a major. Under these circumstances, this Court does not find any basis to interfere with the orders of appointment of the 3rd respondent, as Khaji.

The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Dt.23.02.2007 **L.NARASIMHA REDDY, J**

GJ